

CHAPTER 89

LABOR AND INDUSTRY

HOUSE BILL 22-1262

BY REPRESENTATIVE(S) Sullivan and Snyder, Bird, Duran, Esgar, Froelich, Gray, Herod, Lindsay;
also SENATOR(S) Rodriguez and Cooke, Danielson, Gonzales, Jaquez Lewis, Kolker, Moreno, Pettersen, Priola.

AN ACT

CONCERNING THE CONTINUATION OF THE AUTHORITY OF THE DIRECTOR OF THE DIVISION OF WORKERS' COMPENSATION TO IMPOSE FINES ON AN EMPLOYER FOR A SUBSEQUENT FAILURE TO CARRY WORKERS' COMPENSATION INSURANCE WITHIN A SPECIFIED PERIOD AFTER A PREVIOUS FAILURE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATION IN THE 2021 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 8-43-409, **amend** (1.5)(d) as follows:

8-43-409. Defaulting employers - penalties - enjoined from continuing business - fines - procedure - definition - repeal. (1.5) (d) This subsection (1.5) is repealed, effective ~~July 1, 2022~~ SEPTEMBER 1, 2033. Before its repeal, this subsection (1.5) is scheduled for review in accordance with section 24-34-104.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **repeal** (22)(a)(II); and **add** (34)(a)(II) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (22) (a) The following agencies, functions, or both, are scheduled for repeal on July 1, 2022:

(II) ~~The limitations on imposition of fines for failure to carry workers' compensation insurance pursuant to section 8-43-409 (1.5).~~

(34) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2033:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(II) THE AUTHORITY OF THE DIRECTOR OF THE DIVISION OF WORKERS' COMPENSATION TO IMPOSE FINES ON EMPLOYERS PURSUANT TO SECTION 8-43-409 (1.5) FOR FAILURE TO CARRY WORKERS' COMPENSATION INSURANCE.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: April 12, 2022